## COVINGTON & BURLING

1201 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004-2401 TEL 202.662.6000 FAX 202.662.6291 WWW.COV.COM WASHINGTON
NEW YORK
SAN FRANCISCO
LONDON
BRUSSELS

March 18, 2005

## VIA ELECTRONIC FILING

Ms. Marlene H. Dortch Secretary Federal Communications Commission 445 12th Street, S.W. Washington, D.C. 20554

Re: Implementation of Section 304 of the Telecommunications Act of 1996;

Commercial Availability of Navigation Devices, CS Docket No. 97-80

**Ex Parte** Communication

Dear Ms. Dortch:

This letter is submitted pursuant to Section 1.1206(b)(2) of the Commission's Rules to provide notice of a permitted oral *ex parte* presentation in the above-referenced proceeding. On March 17, 2005, Paula Boyd of Microsoft Corporation spoke by telephone with Jon Cody, Legal Advisor to Chairman Michael Powell. The discussion pertained to the letter filed in this docket by representatives of Microsoft, Comcast Corp., and Time Warner Inc. on February 24. Ms. Boyd discussed Microsoft's reasons for urging the Commission to defer the integration ban, which were based on a joint commitment by the three companies to work towards expediting solutions on issues concerning bidirectional retail cable products, software-based conditional access, unidirectional retail cable products, and unidirectional multistream CableCARDs.

Please address any questions to the undersigned.

Respectfully submitted,

Mary Newcomer Williams Counsel to Microsoft

May NWilliam

cc: Jon Cody